

JOURNAL OF THE HOUSE.

Thursday, May 11, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God of Goodness and Truth we look to You for direction and encouragement in our quest to select the best and most honorable legislative and personal options available to us each day. We pray for Your help in our struggle to remain faithful to our personal goals and ideals. On Sunday we observe and celebrate Mothers Day. As a nation we express our thanks and appreciation to all mothers for the gift of life, for their dedication to their children's well being and for their spirit of sacrifice to and for their family. May we continue to respect the dignity and essential role of mothers in our changing society and world.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Prayer.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives Harkins of Needham and Ross of Wrentham) congratulating Chief of Police Richard D. Hurley on his retirement from the Medfield Police Department;

Richard D.
Hurley.

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Dorothy Edmond Crocker on the occasion of her one hundredth birthday;

Dorothy
Edmond
Crocker.

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Brendan P. McNamara on achieving the rank of Eagle Scout;

Brendan P.
McNamara.

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Patrick J. McNamara II on achieving the rank of Eagle Scout;

Patrick J.
McNamara II.

Resolutions (filed by Messrs. Miceli of Wilmington and Finegold of Andover) honoring Pauline J. King on her retirement from the Heath Brook School as principal;

Pauline J.
King.

Resolutions (filed by Mr. Murphy of Burlington) recognizing the Bedford Rotary Club's fiftieth anniversary;

Bedford
Rotary Club.

Resolutions (filed by Mr. Nyman of Hanover) recognizing the refurbishing of Norwell's Civil War Memorial;

Norwell,
Civil War
Memorial.

Resolutions (filed by Ms. Polito of Shrewsbury) recognizing Multiple Sclerosis Week; and

Multiple
Sclerosis Week.

Resolutions (filed by Mr. Ross of Wrentham) congratulating Derrick Justin Brown of Plainville on receiving the Eagle Award of the Boy Scouts of America;

Derrick Justin
Brown.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of R. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

The following order (filed by Mr. Turkington of Falmouth) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Tourism, Arts and Cultural Development committee, extension of time for reporting.

Ordered. That, notwithstanding the provisions of Joint Rule 10, the committee on Tourism, Arts and Cultural Development be granted until Thursday, June 1, 2006, within which time to make its final report on current Senate number 2484.

Mr. Scaccia of Boston, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Smizik of Brookline, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

Attleboro, revolving funds.

A Bill increasing the expenditure limit on revolving funds in the city of Attleboro (Senate, No. 2495) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Dukes County Jail.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the Dukes County Jail and House of Corrections, in the town of Edgartown, was spread upon the records of the House; and returned to the Senate.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Brockton Hospital, easements.

Petition (accompanied by bill, Senate, No. 2537) of Robert S. Creedon, Jr., Geraldine Creedon, Thomas P. Kennedy and Christine E. Canavan for legislation to authorize the Division of Capital Asset Management and Maintenance to convey certain permanent easements to Brockton Hospital. To the committee on Bonding, Capital Expenditures and State Assets.

Shelley Nunes, sick leave bank.

Petition (accompanied by bill, Senate, No. 2538) of Robert A. O'Leary for legislation to establish a sick leave bank for Shelley Nunes, an employee of the Barnstable District Court. To the committee on the Judiciary.

Medford, Bongiorno Bridge.

Petition (accompanied by bill, Senate, No. 2536) of Patricia D. Jehlen for legislation to designate a certain bridge in the city of Medford as the Richard Bongiorno, Jr. Bridge. To the committee on Transportation.

The House Bill relative to mercury management (House, No. 4670) came from the Senate with the endorsement that said branch had insisted on its amendment (in which the House had non-concurred).

Mercury management.

The bill bore the further endorsement that the Senate had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Resor, Tucker and Tarr had been joined as the committee on the part of the Senate.

Committee of conference.

Reports of Committees.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill providing for direct billing of certain pathology tests (House, No. 4812) be scheduled for consideration by the House.

Pathology tests.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Canton to grant certain easements in support of a M. G. L. Chapter 40B affordable housing project (House, No. 4948) be scheduled for consideration by the House.

Canton, affordable housing.

Under suspension of Rule 7A, on motion of Mr. deMacedo of Plymouth, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 1750 and 2120 and House, Nos. 3455, 3480, 3514, 4152 and 4563, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain Senate and House documents concerning construction, public records and non-profit issues (House, No. 4950). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Construction, study.

Subsequently Mr. Scaccia of Boston, for said committees, reported asking to be discharged from further consideration of said order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Subsequently Mr. Scaccia of Boston, for said committee, on the foregoing order, reported, in part, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1750) of Thomas M. McGee for legislation to limit indemnity and insurance responsibility for general contractors and subcontractors in construction work; and

General contractors, liability.

Of the petition (accompanied by bill, House, No. 3455) of Martin J. Walsh for legislation to limit indemnity and insurance responsibility of general contractors and subcontractors;

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And recommending that the same severally be recommitted to the committee on State Administration and Regulatory Oversight.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Brewster
Island.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Bonding, Capital Expenditures and State Assets to make an investigation and study of certain Senate and House documents concerning parks and recreation land, surplus land and easements and other related matters (House, No. 4770), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4500) of Brian S. Dempsey and others relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain land known as Outer Brewster Island,— and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

Land
transfers,
study.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on House, Nos. 4797, 4798 and 4801, an Order relative to authorizing the committee on Bonding, Capital Expenditures and State Assets to make an investigation and study of certain House documents concerning land transfers (House, No. 4951).

Charter
schools,
study.

By Mrs. Haddad of Somerset, for the committee on Education, on House, No. 1130, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning charter schools (House, No. 4952).

Water supply
permit,
study.

By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4833, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain House document concerning the granting of a water supply permit to Daniel and Martha Tawczynski (House, No. 4953).

Land
regulations,
study.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on Senate, No. 2485 and House, No. 4745, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain Senate and House documents concerning land use regulations and land in the town of Weymouth (House, No. 4954).

Open meeting
law,
study.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, Nos. 1913, 3483, 3485, 3486, 3517, 3575, 3619 and 3620, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain House documents concerning the open meeting law and other related matters (House, No. 4955).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating Benjamin Franklin as the official inventor of the Commonwealth (House, No. 4690). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Benjamin
Franklin,
official
inventor.

Orders of the Day.

The House Bill establishing a sick bank for a certain employee of the Trial Court (House, No. 4834), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered. That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Sullivan of Fall River (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.